

# PROCLAMATION

BY THE

Governor of the State of Texas

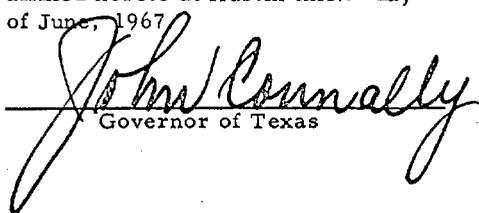
TO ALL TO WHOM THESE PRESENTS SHALL COME:

I have carefully considered H. B. No. 1013. While I feel that the idea of the creation of the office of public defender, particularly in populous counties has considerable merit, the Legislature has limited the effect of the bill solely to Tarrant County. In so doing and in making this a local bill rather than a general bill, applicable to all metropolitan counties, I feel that I must veto it for the following reasons:

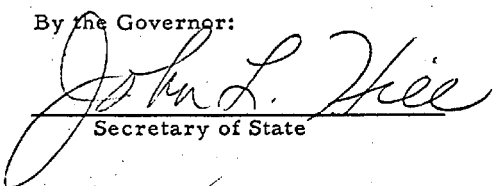
1. In Section 1 (c) an attempt has been made by the Legislature to delegate to "the district-grade courts of Tarrant County" the authority to create an office of public defender. The delegation of such authority is in violation of Article II, Section 1 of the Constitution of the State of Texas.

2. Should the language of Section 1 (c) be interpreted to actually create the office of public defender, then clearly it would violate the provisions of Article III, Section 56 of the Constitution of Texas in that this bill is clearly a local bill and creates a county office. Had the Legislature merely authorized the courts of Tarrant County to employ an attorney to serve as public defender and required the county to provide the necessary funds for staff and facilities, it might be constitutional. This bill, however, goes much further and creates a new public office which can hardly be interpreted as a part of the organization of a court under the provisions of Article V, Section 1 of the Constitution.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially, and caused the seal of State to be affixed hereto at Austin this 13<sup>th</sup> day of June, 1967

  
Governor of Texas

By the Governor:

  
Secretary of State